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Attorney for Plaintiff, Alma Aguilar

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

ALMA AGUILAR,

Plaintiff,

v.

KILOLO KIJAKAZI,

Acting Commissioner of Social Security

Defendant.

CASE NO. 1:22-cv-01014-BAM

STIPULATION AND ~~PROPOSED~~ ORDER
APPROVING COMPROMISE
SETTLEMENT OF ATTORNEY FEES
PURSUANT TO THE EQUAL ACCESS
TO JUSTICE ACT

IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel, subject to approval by the Court, that Plaintiff's attorney Terry LaPorte receive the following payment:

1. The defendant shall pay **SIX THOUSAND NINE HUNDRED AND THIRTY-ONE DOLLARS AND TWO CENTS, (\$6931.02)** pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d) for attorney's fees (including costs) incurred in this Court action. This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. § 2412(d).
2. After the Court issues an order for EAJA fees to Defendant, the government will consider the matter of Alma Aguilar's assignment of EAJA fees to Terry LaPorte. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States

3. This is a settlement of Plaintiff's request for attorney's fees pursuant to EAJA, and does not constitute an admission of liability of fault on the part of Defendant under the Equal Access of Justice Act.
4. Payment of the **SIX THOUSAND NINE HUNDRED AND THIRTY-ONE DOLLARS AND TWO CENTS, (\$6931.02)** EAJA attorney's fees incurred in this Court action, will constitute a complete release from and bar to any and all claims, rights, causes of action, liens or subrogated interests relating to attorney's fees pursuant to EAJA as a result of this Court action.

/s/ Terry LaPorte

TERRY LAPORTE, ESQ.
Attorney for Plaintiff

/s/ Marcelo Illarmo
Marcelo Illarmo
Special Assistant United States Attorney

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IT IS SO ORDERED.

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE